

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RON HABERMEHL, et al.,

Plaintiffs,

v.

AUTO CLUB FAMILY INSURANCE )  
COMPANY, et al., )

Defendants. )

Case No. 3:12-cv-230-DRH-DGW

**ORDER**

**WILKERSON, Magistrate Judge:**

Now pending before the Court is the Motion to Compel filed by Defendant, Jeffrey Wolfson, on September 30, 2013 (Doc. 104). The Motion is **GRANTED**.

Defendant Wolfson represents that he served Interrogatories and Requests to Produce upon Plaintiffs on June 28, 2013. Responses were due on July 28, 2013. On September 17, 2013, Defendant Wolfson e-mailed Plaintiffs' counsel and inquired about responses. Plaintiffs' counsel has not responded to either the discovery requests or Defendant's e-mail. This Court notes that this same issue, Plaintiffs' failure to respond to discovery requests (albeit with a different Defendant), was addressed at a discovery dispute conference held on July 19, 2013. Finally, Plaintiffs have not responded to this motion. Therefore, pursuant to Local Rule 7.1, this Court finds that they have admitted the merits of this motion.

Plaintiffs are therefore **ORDERED** to respond to Defendant Wolfson's discovery requests, *without objection*, by **November 4, 2013** or **SHOW CAUSE** by that date, in writing, why they have not responded to the discovery requests. Plaintiffs are **WARNED** that the failure to either respond to the discovery requests or show cause by the deadline **SHALL** result in the sanctions

outlined in Federal Rule of Civil Procedure 37 including, but not limited to, a report and recommendation that this matter be dismissed for failure to comply with the Rules and this Court's Orders.

**IT IS SO ORDERED.**

**DATED: October 23, 2013**

**DONALD G. WILKERSON**  
**United States Magistrate Judge**